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Thomas S. Ferrill  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
7th Floor  
12400 Wilshire Boulevard  
Los Angeles, CA 90025

EXAMINER

NGUYEN, LE V

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 08/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/757,741

Applicant(s)

MUNRO ET AL.

Examiner

Le Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other:

## DETAILED ACTION

### *Claim Objections*

1. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claim 5 of line 1 page 69 has been renumbered 28.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4, 9-10, 15-17 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Tyan et al. ("Tyan", US 5,893,127).

As per claim 1-4, Tyan teaches an apparatus, comprising a computer readable media and a program written in a page description language and embedded on the computer readable media, the program to provide instructions, which when executed by a machine, cause the machine to display and to manipulate a bitmap image within a window in a network system wherein the network system is one in a group of a client server system, a World Wide Web, an Internet, a

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mobile phone network, a first device in communication with a second device (col. 1, lines 9-48), the bitmap image having a hierarchical system of folders associated with the bitmap image wherein the hierarchical system of folders comprise the image having a folder, the folder having content, and the content being within the folder and wherein content is one in a group consisting of a subfolder, a graphic object, a text document, a hyperlink, a border information, an image map, or an image address (col. 4, line 34 through col. 5, line 3).

Claims 9, 15 and 24 are individually are similar in scope to claim 1 and are therefore rejected under similar rationale.

As per claim 10, Tyan teaches an apparatus comprising concurrently displaying in the window multiple bitmap images (col. 1, lines 26-28).

Claim 16 is similar in scope to claim 4 and is therefore rejected under similar rationale.

Claim 17 is similar in scope to the combination of claims 2 and 4 and is therefore rejected under similar rationale.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 19 and 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tyan et al. ("Tyan", US 5,893,127) in view of Scott et al. ("Scott", US 6,545,687 B2).

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As per claim 28, although Tyan teaches an apparatus comprising displaying and manipulating bitmap images within a window in a network system wherein the network system is one in a group of a client server system, a World Wide Web, an Internet, a mobile phone network, a first device in communication with a second device (col. 1, lines 9-48; *manipulating images in a browser environment*), Tyan does not explicitly disclose manipulating is one in a group consisting of to zoom in on the bitmap image, to zoom out from the bitmap image, to select a region of interest of the bitmap image, to restore an initial view of the bitmap image, to pan the bitmap image, to link to the bitmap image, to stretch the bitmap image, to center the bitmap image in the window, to reset/undo an operation performed on the bitmap image, to magnify the bitmap image, to move left on the bitmap image, to move right on the bitmap image, to move up on the bitmap image, or to move down on the bitmap image. Scott teaches an apparatus wherein manipulating is one in a group consisting of to zoom in on the bitmap image, to zoom out from the bitmap image, to select a region of interest of the bitmap image, to restore an initial view of the bitmap image, to pan the bitmap image, to link to the bitmap image, to stretch the bitmap image, to center the bitmap image in the window, to reset/undo an operation performed on the bitmap image, to magnify the bitmap image, to move left on the bitmap image, to move right on the bitmap image, to move up on the bitmap image, or to move down on the bitmap image (col. 8, lines 27-43; col. 914, lines 1-24). Therefore, it would have been obvious to an artisan at the time of the invention to include Scott's method of manipulating images such as zooming in on the bitmap image to Tyan's method of manipulating images in order to provide users with additional image manipulating capabilities.

Claim 19 is similar in scope to claim 28 and is therefore rejected under similar rationale.

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6. Claims 5, 6, 11-12 and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tyan et al. ("Tyan", US 5,893,127) in view of Scott et al. ("Scott", US 6,545,587 B2).

As per claims 5 and 6, although Tyan teaches an apparatus wherein the bitmap image may be manipulated (*i.e. inherent to a browser environment is the ability to manipulate bitmap images such as zoom in, zoom out, select a region of interest, etc.*), Tyan does not explicitly disclose an apparatus wherein manipulation is in the form of scaling the bitmap image to a new size with data stored in the cache until the program decodes data corresponding to the new size. Scott teaches progressive JPEG wherein upon a request for an image file or a request to scale the image file, the program stores the image in cache and the image is shown in progressively multiple levels of resolution until the program finishes decoding data corresponding to the new file (col.40, lines 61-63; col. 19, line 57 through col. 20, line 17; *wherein images shown in progressively multiple levels of resolution is inherent in progressive JPEG in order to gradually display the image*). Therefore, it would have been obvious to an artisan at the time of the invention to include Scott's teaching of progressive JPEG for images having multiple levels of resolution and images stored in cache until the program decodes data corresponding to a new data request such as scaling to Tyan's method of manipulating images in order to provide users with the ability to view images with increasingly detailed versions of the picture until the entire file finishes downloading.

Claims 12 and 27 are individually similar in scope to the combination of claims 5 and 6 and are therefore rejected under similar rationale.

Claim 26 is similar in scope to the combination of claims 5 and 6 and is therefore rejected under similar rationale except for the limitation that the bitmap image is from an image database, which Scott teaches (col. 20, lines 1-13).

Claim 11 is similar in scope to claim 6 and is therefore rejected under similar rationale.

7. Claims 7-8, 14 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tyan et al. ("Tyan", US 5,893,127) in view of Takeuchi et al. ("Takeuchi", US 6,392,670 B1).

As per claims 7 and 8, although Tyan teaches an apparatus comprising instructions, which when executed by the machine, cause the machine to display and to manipulate objects (col. 1, lines 9-48), Tyan does not explicitly disclose the apparatus to include establishing a predetermined setting, the predetermined setting having a value, below the value of the predetermined setting a representation of an object is displayed and above the value of the predetermined setting the object is displayed wherein the object is one in a group consisting of the bitmap image, a folder, content associated with the bitmap image, or content associated with the folder. Takeuchi teaches an apparatus comprising instructions, which when executed by the machine, cause the machine to display and to establish a predetermined setting, the predetermined setting having a value, below the value of the predetermined setting a representation of an object is displayed and above the value of the predetermined setting the object is displayed wherein the object is one in a group consisting of the bitmap image, a folder, content associated with the bitmap image, or content associated with the folder (Abstract; figs. 9-19). Therefore, it would have been obvious to an artisan to include Takeuchi's teaching of an apparatus comprising instructions, which when executed by the machine, cause the machine to display and to establish a predetermined setting, the predetermined setting having a value, below

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the value of the predetermined setting a representation of an object is displayed and above the value of the predetermined setting the object is displayed to Tyan's apparatus comprising instructions, which when executed by the machine, cause the machine to display and to manipulate objects in order to provide users with a step-by-step logical representation of information.

Claims 20 and 21 in combination is similar in scope to the combination of claims 7 and 8 and is therefore rejected under similar rationale.

Claim 14 is similar in scope to the combination of claims 7 and 8 and is therefore rejected under similar rationale.

8. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tyan et al. ("Tyan", US 5,893,127) in view of Scott et al. ("Scott", US 6,545,687 B2)

As per claim 13, although Tyan teaches a method of displaying and manipulating bitmap images (col. 1, lines 9-48), Tyan does not explicitly disclose the bitmap image to be compressed according to a block based integer wavelet transform coding scheme. Scott teaches a method of utilizing discrete wavelet transform compression techniques for image compression (col. 16, lines 52-58). Therefore, it would have been obvious to an artisan to include Tyan's method of displaying and manipulating bitmap images to Scott's method of utilizing discrete wavelet transform compression techniques for image compression in order to provide users with compression efficiency.

9. Claims 22-23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tyan et al. ("Tyan", US 5,893,127).



As per claim 25, although Tyan teaches an apparatus comprising a bitmap image wherein the hierarchical system of folders are associated with the bitmap image (col. 1, lines 9-48), Tyan does not explicitly disclose that the apparatus comprises a means for concurrently displaying in the window multiple bitmap images. However, Tyan discloses concurrently displaying in the window multiple bitmap images in a description of the related art (col. 1, lines 26-31). Therefore, it would have been obvious to an artisan at the time of the invention to include concurrently displaying in the window multiple bitmap images to Tyan's apparatus comprising a bitmap image wherein the hierarchical system of folders are associated with the bitmap image in order to provide users with a view of related images.

Claims 22 and 23 in combination is similar in scope to claim 25 and is therefore rejected under similar rationale.

### *Conclusion*

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lengyel et al. (US 6,016,150) teach sprite compositor and method for performing lighting and shading operations using a compositor to combine factored image layers.

Brown et al. (US 6,549,221 B1) teach user interface management through branch isolation.

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*Inquires*

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lê Nguyen whose telephone number is (703) 305-7601. The examiner can normally be reached on Monday - Friday from 5:30 am to 2:00 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax numbers for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238 [After Final Communication]

(703) 746-7239 [Official Communication]

(703) 746-7240 [For status inquiries, Draft Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Lê Nguyen  
Patent Examiner  
June 27, 2003

*Kristine Kincaid*  
KRISTINE KINCAID  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100